



1Fw/642

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 05-1036-F; EX03-098C-US)

In the Application of: )  
)  
Gendreau, et al. ) Art Unit: To Be Assigned  
)  
Serial No.: 10/535,443 )  
) Examiner: To Be Assigned  
Filed: December 29, 2003 )  
)  
For: FLJ10607 AS MODIFIER OF THE )  
AXIN PATHWAY AND METHODS OF USE )

TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In regard to the above identified application:

1. We are transmitting herewith the attached:
  - a. Information Disclosure Statement;
  - b. Form PTO-1449;
  - c. Copies of 3 cited References; and
  - d. Return Receipt Postcard.
2. With respect to fees:
  - a. X No fee is required
3. Please charge any additional fees or credit overpayment to Deposit Account No. **13-2490**.
4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 28, 2006.

Respectfully submitted,

Date: September 28, 2006

By:

Anita J. Terpstra  
Reg. No. 47,132

**McDonnell, Boehnen Hulbert & Berghoff**  
300 South Wacker Drive  
Chicago, IL 60606



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	)	<b>Examiner: To Be Assigned</b>
<b>Filed: December 29, 2003</b>	)	
	)	
<b>For: FLJ10607 AS MODIFIER OF THE</b>	)	
<b>AXIN PATHWAY AND METHODS OF USE</b>	)	

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. Section 1.97 - 1.99, the Applicant wishes to make the following references of record in the above-identified application. This Information Disclosure Statement is in compliance with the continuing duty of candor as set forth in 37 C.F.R. Section 1.56. Copies of the references cited below are enclosed. These references are also listed on the enclosed PTO Form 1449. This Information Disclosure Statement is being submitted prior to the issuance of the first Office Action. As such, no fee is due.

In the judgment of the undersigned, portions of the listed references may be material to the Examiner's consideration of the presently pending claims. However, the references have not been reviewed in sufficient detail to make any other representation and, in particular, no representation is intended as to the relative relevance between references, whether cited in this or prior statements. This statement is not a representation that the listed references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. Section 102 or Section 103.

**Other Documents**

1. Webster et al., Sequence Variants of the Axin Gene in Breast, Colon, and Other Cancers: An Analysis of Mutations That Interfere With GSK3 Binding, Wiley-Liss, Inc. (2000).
2. Taniguchi et al., Mutational spectrum of  $\beta$ -catenin, AXIN1, and AXIN2 in hepatocellular

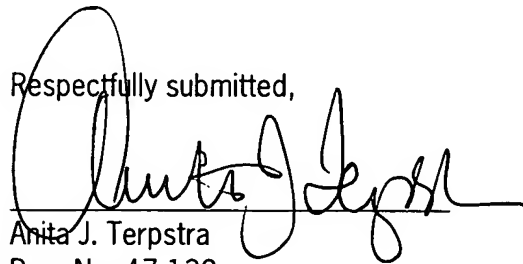
carcinomas and hepatoblastomas, Nature Publishing Group (2002).

3. Sekiya et al., Overexpression of *Icat* Induces G<sub>2</sub> Arrest and Cell Death in Tumor Cell Mutants for *Adenomatous Polyposis Coli*,  $\beta$ -catenin, or Axin, Cancer Research (2002).

In accordance with MPEP Sections 609 and 707.05(b), it is requested the document cited (including any cited in applicant's specification which is not repeated on the attached Form PTO-1449) be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing on Form PTO-1449. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application.


Date: September 28, 2006

By:

Respectfully submitted,  


Anita J. Terpstra  
Reg. No. 47,132

**McDonnell, Boehnen Hulbert & Berghoff**  
300 South Wacker Drive  
Chicago, IL 60606

FORM PTO-1449 (Rev. 2-32)	U.S. Department of Commerce Patent and Trademark Office	Atty. Docket No. 05-1036-F	Serial No. 10/535,443
 <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)</p>		Applicant: Gendreau, et al.	
	Filing Date: December 29, 2003	Group: To Be Assigned	

## U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate

## FOREIGN PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Country	Class	Subclass	Translation	
						Yes	No

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc).

A1	Webster et al., Sequence Variants of the Axin Gene in Breast, Colon, and Other Cancers: An Analysis of Mutations That Interfere With GSK3 Binding, Wiley-Liss, Inc. (2000).
A2	Taniguchi et al., Mutational spectrum of $\beta$ -catenin, AXIN1, and AXIN2 in hepatocellular carcinomas and hepatoblastomas, Nature Publishing Group (2002).
A3	Sekiya et al., Overexpression of <i>Icat</i> Induces G2 Arrest and Cell Death in Tumor Cell Mutants for Adenomatous Polyposis Coli, $\beta$ -catenin, or Axin, Cancer Research (2002).
EXAMINER	
DATE CONSIDERED	

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.